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3 BOARD MEMBERS PRESENT

4 NICK ALBERTI, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7 RUTHANNE MILLER, BOARD MEMBER

8

9 ALSO PRESENT:

10 FERNANDO RIVERO

11 DAWA TAMANG

12

1 P R O C E E D I N G S

2 SHOW CAUSE HEARING (STATUS)

3 CHAIRPERSON ANDERSON: The next matter on
4 our show cause hearing calendar is Case #16-AUD-
5 00021, Laliguras Indian & Napali Bistro, license
6 #95042. Will the parties please approach and
7 identify themselves for the record, please?

8 MR. RIVERO: Indulgence. Good morning,
9 board members, Fernando Rivero for the District
10 of Columbia standing in for Zachary Shapiro.

11 CHAIRPERSON ANDERSON: Good morning, sir.

12 MR. TAMANG: Good morning, board members.
13 I am Dawa Tamang, with Laliguras Indian and
14 Napali Bistro Restaurant.

15 CHAIRPERSON ANDERSON: Can you spell your
16 last name for me, please, sir.

17 MR. TAMANG: Tamang.

18 CHAIRPERSON ANDERSON: T-A-M-A-N-G?

19 MR. TAMANG: Yes, sir.

20 CHAIRPERSON ANDERSON: Okay.

21 MR. RIVERO: The parties have an offer in
22 compromise to present to the board.

1 CHAIRPERSON ANDERSON: Yes, what's the
2 offer in compromise?

3 MR. RIVERO: The offer in compromise
4 consists of a fine of \$500 and the filing of the
5 quarterly report for the third quarter of 2015,
6 both to be accomplished within 30 days. If the
7 fine is not paid within 30 days, the license will
8 be suspended until the payment is made. That's
9 the offer in compromise.

10 CHAIRPERSON ANDERSON: I just have one
11 question for you, Mr. Rivero. It appears that
12 the third quarter report is missing and the first
13 and second quarter reports for 2016 are still
14 missing.

15 MR. RIVERO: Right, I'm having
16 discussions with the licensee about those others,
17 but the third quarterly report is the subject of
18 this case, and that's why the others are not part
19 of the offer in compromise.

20 CHAIRPERSON ANDERSON: I know, but I just
21 want to bring it to -- that at least the board is
22 aware that there are other issues and I don't

1 want you to appear in front of us again because
2 we're going to file another case against you, so
3 therefore, I want the licensee to --

4 MR. TAMANG: The second quarter is
5 already filed, it's going to be this Monday will
6 be the -- 2016 one, then 51 I didn't know about
7 that and I went there yesterday with my
8 accountant and he was to -- and -- it's going to
9 be done by --

10 CHAIRPERSON ANDERSON: Just another
11 clarification also, Mr. Rivero, you stated that
12 the offer in compromise is a fine for \$500
13 payable in 30 days, if the fine is not -- and
14 also the quarterly report will also be filed
15 within 30 days, but just a clarification for me,
16 it was just that the license will be suspended if
17 the fine is not paid. Suppose the quarterly
18 report is not paid -- is not filed within 30
19 days. Is there any -- is that a part of -- if
20 the quarterly report is not filed in 30 days,
21 what does that mean?

22 MR. RIVERO: If the quarterly report is

1 not paid within 30 days it's a violation of the
2 board order and the licensee can be prosecuted
3 again without issuing a board order.

4 CHAIRPERSON ANDERSON: I just -- all
5 right that's fine.

6 MR. RIVERO: The special area attaches to
7 the payment of the fine which is standard for us.

8 CHAIRPERSON ANDERSON: Okay, that's fine.
9 All right. Mr. Tamang: So, it's my
10 understanding that there's an offer in compromise
11 of a \$500 fine payable in 30 days. If the fine
12 is not payable in 30 days the license will be
13 suspended. Also, as a part of the agreement that
14 the 2015 third quarter report will be filed in 30
15 days. Is this your understanding, sir, of the
16 offer in compromise?

17 MR. TAMANG: Yes, sir.

18 CHAIRPERSON ANDERSON: Are you aware that
19 by accepting an offer in compromise you are
20 giving up your right to have a hearing on this
21 matter?

22 MR. TAMANG: Yes, sir.

1 CHAIRPERSON ANDERSON: And are you also
2 aware that by accepting this offer in compromise
3 you are also giving up your right to appeal this
4 matter, sir.

5 MR. TAMANG: Yes, sir.

6 CHAIRPERSON ANDERSON: I then make a
7 motion that the offer in compromise of a fine of
8 \$500 payment be accepted payable in 30 days and
9 the 2015 third quarter report would also be
10 completed within the next 30 days. Is there a
11 second?

12 MR. ALBERTI: Second.

13 CHAIRPERSON ANDERSON: Mr. Alberti has
14 seconded the motion. Any discussion for any
15 board members? Hearing none, all those in favor,
16 say aye. (Chorus of ayes.) All those opposed?
17 (No audible response.) The matter passed 4-zero-
18 zero. Thank you very much, sir. We'll have you
19 sign some paperwork.

20
21 (Whereupon, the above-entitled matter was
22 concluded.)

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